

OCT 8 2015

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Roberta BIGLER

Case Number:

C-15-1387-M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 10/8/2015 in Live Oak County, in the
(Date)

Southern District of Texas defendant, Roberta BIGLER

Did knowingly and intentionally possess with intent to distribute, more than five grams of methamphetamine, to wit: approximately 7 grams (gross weight) of methamphetamine, a Schedule II Controlled Substance

Lew 9.70

in violation of Title 21 United States Code, Section(s) 841.
I further state that I am a(n) HSI Agent and that this complaint is based on the
following facts:

See Attached Affidavit of ICE Special Agent

Larry C. White

Continued on the attached sheet and made a part of this complaint:

 Yes No



Larry C. White

Printed Name of Complainant

Sworn to before me and signed in my presence, and probable cause found

October 8, 2015

Date

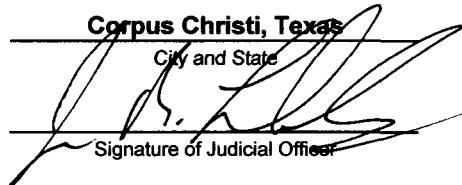
Jason B. Libby Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State



Signature of Judicial Officer

AFFIDAVIT

In March 2014, Homeland Security Investigations ("HIS") and Texas Department of Public Safety ("TXDPS") began an investigation involving the distribution of methamphetamine in the Corpus Christi, Texas area. During the course of that investigation, numerous subjects have been identified as being involved in the distribution of methamphetamine and several of those subjects have subsequently been arrested, indicted, and sentenced. CD-1 has been proven reliable and trustworthy during numerous controlled buys, recorded phones calls and debriefs during the course of this investigation. As a result of the investigation, agents have identified a methamphetamine smuggling ring that is led by Roberta BIGLER.

A cooperating defendant (CD-1) made contact with BIGLER during the month of August 2015. CD-1 and BIGLER were involved in multiple phone calls to one another as they negotiated the purchase of methamphetamine. In late August 2015, BIGLER agreed to sell two (2) ounces of methamphetamine to CD-1 for approximately one thousand seven hundred (\$1700) dollars. BIGLER and CD-1 met together in Corpus Christi, Texas, and BIGLER provided the methamphetamine to CD-1. This transaction was audio/video recorded and observed by several HSI and TXDPS agents. The methamphetamine was subsequently seized and tested by the DEA lab. The substance tested positive for methamphetamine, the net weight after testing was fifty six (56) grams, the substance had a purity level of ninety seven and eight tenths percent (97.8 %), and the amount of pure substance was fifty four and seven tenths (54.7) grams.

Agents interviewed CD-1 regarding the habits of BIGLER. CD-1 has known BIGLER for more than twenty years and stated that BIGLER has been involved in methamphetamine distribution for at least fifteen years. CD-1 has advised that BIGLER typically makes trips to the Phoenix, Arizona area to pick up large distribution quantities of methamphetamine. CD-1 advised that before leaving for a trip, that BIGLER will normally pick up money from subjects that she supplies. BIGLER also rents a new vehicle from Enterprise Rental car, and then drives to Arizona, via US Interstate 10. Your affiant has knowledge that subjects involved in the transportation of narcotics will typically rent vehicles so that they can blend in better with traffic and so that they don't draw attention to themselves from law enforcement. CD-1 advised that BIGLER rents vehicles for this reason. CD-1 also advised that BIGLER does not return directly via US Interstate 10, due to the fact that there is a U.S. Border Patrol Checkpoint in Sierra Blanca, Texas, located on US Interstate 10.

On Thursday October 1, 2015, agents from HSI and TXDPS conducted surveillance on Roberta BIGLER. At approximately 0900hrs, SA Edward Silman drove by the residence that is known to be BIGLER's residence. Upon arrival at that residence, SA Silman observed a Maroon Chrysler 200 bearing Texas Tag GGZ9482. Based on the fact that agents have conducted surveillance at that location, SA Silman and other agents knew that vehicle was not normally at that location. SA Silman conducted a registration check and noted that the vehicle was registered to EAN Holdings in Tulsa, Oklahoma (Enterprise Rental Car).

SA White and other agents had previously learned through CD-1 that BIGLER typically rents vehicles from Enterprise when she is getting ready to make a trip to Arizona to pick up methamphetamine. TXDPS LT. Mark Martinez made contact with Enterprise and learned that the described vehicle had been rented by BIGLER on September 30, 2015, and that it was due to

be returned on October 7, 2015. Agents knew this to be a typical time frame that BIGLER uses when she is picking up methamphetamine for further distribution. SA Silman and SA Victor Rowley maintained surveillance on the vehicle.

During that same time frame, SA White and TXDPS SA Blake Chapman met with CD-1 and provided him/her with an audio recording device. BIGLER had advised CD-1 that she would come to his/her residence and meet up before BIGLER left the area.

CD-1 immediately notified agents that he/she had received a phone call from BIGLER, and that BIGLER and PARKER were coming to see him/her. At approximately 1210hrs, BIGLER and PARKER met with CD-1. BIGLER promised CD-1 that she would give him/her 1-2 ounces on methamphetamine in a few days. BIGLER also told CD-1 that if he/she had money that BIGLER could bring him/her more methamphetamine at a much cheaper price (Arizona prices). CD-1 advised that BIGLER had a large sum of cash on her person. At approximately 1251hrs, BIGLER and PARKER left in the described vehicle travelling north on IH 37. The meeting between BIGLER, PARKER, and CD-1 was audio recorded.

During this time, SA White met with the Honorable Judge Jason Libby and provided the affidavit that SA White had drafted. Based on the probable cause established in that affidavit, Judge Libby issued the Tracking Warrant. SA White met with SA Robert Dinoir and obtained a GPS tracking device to place on the vehicle and then SA White went to meet with the other agents.

BIGLER and PARKER travelled in the described vehicle and entered IH 37 North at approximately 1425hrs. Agents maintained surveillance and followed BIGLER and PARKER to the Shell Station at Exit 36. They arrived at the Shell station at approximately 1446hrs.

BIGLER and PARKER exited the described vehicle at approximately 1448hrs, at which time SA White attached the GPS tracking device per the issued court order that had been signed by Judge Libby. The tracker was on the described vehicle at approximately 1450hrs. Agents maintained visual surveillance on the described vehicle for a short time to insure that the tracker was operating as it was supposed to. The tracker had no issues and agents then terminated the physical surveillance.

SA White and other agents maintained surveillance through the use of the tracker and noted stops for gas, food, and hotel. A TXDPS Trooper in Fort Stockton assisted by taking a photograph of the described vehicle at the hotel that BIGLER and PARKER had stayed in for the night to confirm the accuracy of the tracker. Agents continued to monitor the tracker and noted that BIGLER went to the Phoenix, Arizona area.

Agents from Arizona DPS ("AZDPS") observed the vehicle and BIGLER in Arizona and were able to take photographs of the vehicle as it was driven by BIGLER. AZDPS agents advised HSI and TXDPS that BIGLER had gone to several areas in and around Phoenix, Arizona, that are known for the distribution and smuggling of narcotics. BIGLER made multiple stops at locations where she would exit the described vehicle and leave PARKER inside of the vehicle for long periods of time. Agents know this behavior to be consistent with a subject that may be doing something that they do not want other parties travelling with them to have full and complete information. This tactic is used because smugglers and distributors of narcotics know that law enforcement officers will separate parties when they are encountered and try to learn the facts of the case from multiple parties. Agents maintained surveillance through the use of the tracker and noted that BIGLER began to travel east away from Phoenix, Arizona on Monday October 5, 2015.

SA White and other agents are aware that the most direct route from Phoenix, Arizona, is via US Interstate 10 eastbound. Agents are also aware through conversations with CD-1 that BIGLER will typically travel via US Interstate 10 if she has no narcotics with her, but will take alternate routes to avoid checkpoints, if she has narcotics in her possession. BIGLER left Arizona eastbound via Arizona Hwy 60. That highway avoids the U.S. Border Patrol Checkpoint located in Sierra Blanca, Texas, and ultimately leads to the Pecos, Texas area. From that area, BIGLER can easily access US Interstate 10 and return to Corpus Christi, Texas.

Agents from Arizona, New Mexico, and Texas conducted surveillance on BIGLER as she traveled through the Phoenix, Arizona area, New Mexico, and Texas. BIGLER continued to drive the vehicle in question and had not met with additional parties. In the early morning hours of Wednesday October 7, 2015, BIGLER arrived in Pecos, Texas. That location is well to the east of the Sierra Blanca Checkpoint. Based on the way that BIGLER had travelled, she had added multiple hours to her journey, and agents had noted that BIGLER did not meet with family, friends, or anyone else. BIGLER had only driven, and then stopped for the night in various hotels. The Honorable Judge Jason B. Libby issued a search warrant for the vehicle in question for the vehicle to be searched in the Southern District of Texas.

Agents from Arizona, New Mexico, and Texas conducted surveillance on BIGLER for several days. HSI Corpus Christi agents along with agents from TXDPS in Corpus Christi began to surveil BIGLER around Junction, Texas. BIGLER was followed to San Antonio. Once BIGLER got into San Antonio, she began to take several back roads and she began pulling into random parking lots. Agents were able to maintain surveillance on BIGLER during that time frame and did not see her make any meetings with subjects. BIGLER ultimately drove back on Interstate 37 and headed south towards Corpus Christi, Texas. BIGLER continued to pull over in rest areas, gas stations, and other places. BIGLER ultimately pulled into the parking lot of the Motel 6 on Interstate 37 in Three Rivers, Texas. Based on all of the circumstances and the fact that a search warrant had been issued for the vehicle, agents approached and secured the vehicle and made contact with the occupants.

The occupants of the vehicle were identified as BIGLER and PARKER. Both subjects were separated at that time. BIGLER was advised that agents knew that she typically transported methamphetamine to Texas from Arizona and made her aware that she is likely to be indicted in the very near future based on the investigation that had been taking place for some time. BIGLER was not under arrest at that time and stated that she had previously transported methamphetamine back to Corpus Christi, Texas, from Arizona, and that she had also used the U.S. Mail to have methamphetamine sent back to Corpus Christi, Texas. BIGLER advised that this particular trip was only to visit family and that she was not transporting methamphetamine back to Corpus Christi, Texas. BIGLER advised agents that she had noticed a vehicle following her in and around Junction, Texas, and BIGLER identified one of the HSI vehicles as a vehicle that she had observed. BIGLER also stated that she drove the way that she did to prove to PARKER that there were vehicles following her. BIGLER granted TXDPS Trooper Jason Galvan consent to search the vehicle. During the search of the vehicle, Trooper Galvan and TXDPS SA Blake Chapman located approximately nine and six tenths (9.6) grams of methamphetamine and three

methamphetamine pipes. The methamphetamine field tested positive for the presence of methamphetamine.

Agents spoke to PARKER who advised that BIGLER had not picked up any large quantities of methamphetamine during their trip to Arizona. PARKER admitted that she and BIGLER had smoked methamphetamine during the trip several times and that BIGLER had only purchased a small user amount so that they could smoke during their trip. PARKER was asked why they had gone the route that they came back home instead of the more direct Interstate 10 route. PARKER advised that she is very sick and that she wanted to see the mountains that are that way.

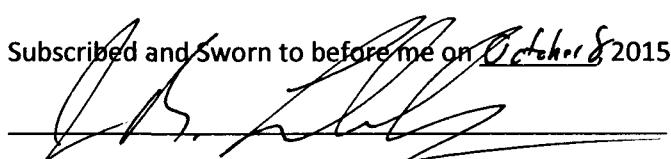
SA White made contact with AUSA Jeff Miller who accepted prosecution against BIGLER for the methamphetamine that was located in the center console of the vehicle. BIGLER was not asked additional questions about that particular methamphetamine, but she did freely state that PARKER was not involved in the possession of that methamphetamine. BIGLER was ultimately transported to the Coastal Bend Detention Center in Robstown, Texas by Agents White and Rowley.

Respectfully submitted,



Special Agent Larry C. White

Subscribed and Sworn to before me on October 8, 2015



Jason B. Libby, United States Magistrate Judge